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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation

LOK SABHA

The following Bill was introduced in Lok Sabha on the 23rd August, 1965:—

BILL No. 48 OF 1965

A Bill further to amend the Indian Works of Defence Act, 1903.

BE it enacted by Parliament in the Sixteenth Year of the Republic of India as follows:—

1. This Act may be called the Indian Works of Defence (Amendment) Act, 1965. Short title.

2. In the Indian Works of Defence Act, 1903,— Amendment of Act 7 of 1903.

(*i*) for sub-section (2) of section 1, the following sub-section shall be substituted, namely:—

"(2) It extends to the whole of India.";

(*ii*) in Part I, after section 2, the following section shall be inserted, namely:—

Construction of references to laws not in force, or any functionary not in existence, in any area.

"2A. Any reference in this Act to any law which is not in force in any area or any reference therein to any functionary not in existence in any area shall, in relation to that area, be construed as a reference to the corresponding law, if any, in force, or to the corresponding functionary, if any, in existence, in that area.".

STATEMENT OF OBJECTS AND REASONS

The Indian Works of Defence Act, 1903 (7 of 1903) provides for the imposition of restrictions upon the use and enjoyment of land in the vicinity of works of defence in order that such land may be kept free from buildings and other obstructions. The Act at present does not extend to some areas such as the territories which immediately before the 1st November, 1956, were comprised in Part B States. Hence it is not possible to impose restrictions which may be considered necessary upon the use and enjoyment of land around such defence works located in those territories. It is, therefore, proposed to amend the Act so as to make its provisions applicable to the whole of India including the areas to which it does not at present extend.

Y. B. CHAVAN.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. F. 13(6)/59/D(GS-I) dated the 27th July, 1965 from Shri Y. B. Chavan, Minister of Defence to the Secretary, Lok Sabha.]

The President having been informed of the subject-matter of the proposed Bill further to amend the Indian Works of Defence Act, 1903, has, in pursuance of clause (3) of article 117 of the Constitution of India, recommended to the Lok Sabha the consideration of the Bill.

FINANCIAL MEMORANDUM

The Indian Works of Defence Act, 1903 (7 of 1903) provides for payment of compensation to persons interested in the land in the vicinity of any work of defence on account of the imposition of restrictions on the use and enjoyment of such land. It is not possible to indicate at this stage, even approximately, the amount of compensation, if any, required to be paid in respect of lands around the defence works already existing in the territories which immediately before the 1st November, 1956, were comprised in Part B States, as the assessment of such amount will have to be made by the local civil authorities concerned after issue of necessary Gazette notifications declaring clearance zones under section 3 of the Act. However, in case the local military authorities consider that the existing obstructions in such lands may stand, the amount of compensation to be paid might not be very large.

S. L. SHAKDHER,
Secretary.

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